

Remarks

Claims 1, 3-13 and 15-22 are pending in this application. Applicants have amended claims 1, 3-6, 8-13, 15 and 16 and canceled claims 2 and 23 to clarify the claimed invention. Applicants respectfully request favorable reconsideration of this application.

The Examiner rejected claim 13 under 35 U.S.C. §§ 112, second paragraph, and 101. Applicants have amended claim 13 to clarify that the computer program instructions are executable by a processor or computer. Also, claim 13 clearly recites that the computer program instructions are recorded on a compute readable medium. Therefore, the computer program product is clearly not software per se. Accordingly, Applicants submit that claim 13 complies with 35 U.S.C. §§ 112, second paragraph, and 101, and respectfully request withdrawal of these rejections.

The Examiner rejected claims 1-3, 8, 13, 15-17, and 19-22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,006,171 to Vines et al. in view of U.S. patent publication 2002/0181405 to Ying. The Examiner rejected claims 4-7, 9-12, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Vines et al. and Ying and further in view of U.S. patent 7,120,830 to Tonack.

The combination of Vines et al. and Ying does not suggest the invention recited in claims 1-3, 8, 13, 15-17, and 19-22 since, among other things, the combination does not suggest selecting by a maintenance user using a hand-held or wearable portable computing device one of

the equipment, plant or process, retrieving contact information for internal users having technical knowledge about the selected equipment, plant or process, presenting or displaying on the portable computing device at least information about a new event or an alarm for the selected device and a location of the equipment, plant or process to the maintenance user, utilizing by the maintenance user the information to address the new event or alarm, and contacting the internal users about the selected equipment, plant or process if the maintenance user cannot address the new event or alarm with the retrieved information. At best, Vines et al. suggests a system to manage maintenance orders. Vines et al. does not suggest a portable computing device.

The Examiner cited col. 4, lines 9-11, as suggesting selecting using a portable computing device an equipment, plant or process. However, this passage only suggests, "selection of process control monitoring station, association of equipment tag names in the maintenance database with process control variables". This passage does not suggest selecting by a maintenance user using a hand-held or wearable portable computing device one of the equipment, plant or process.

Vines et al. also does not suggest configuring a software entity recorded on a computer readable medium with an identity of the selected equipment, plant or process, the software entity including links to information regarding all equipment, plant, process monitored and controlled by the control systems. The Examiner cites col. 4, lines 21-32, of Vines et al. as suggesting this aspect of the claimed invention. However, this passage only suggests a line between a process variable and a piece of equipment. This passage does not suggest links to information regarding all equipment, plant, process monitored and controlled by the control systems. Additionally, col.

5, lines 51-60, and col. 6, lines 1-6, only suggest tracking work orders. Similarly, col. 5, lines 41-48 and 61-67, only suggest generating work orders and checking their status.

Neither Vines et al. nor Ying suggests retrieving contact information for internal users having technical knowledge about a selected equipment, plant or process, and contacting the internal users about the selected equipment, plant or process if the maintenance user cannot address the new event or alarm with the retrieved information. Vines et al. only suggests an operator who generates maintenance work orders, as described at col. 5, line 57, through col. 6, line 2. This operator does not appear to be a maintenance user who would employ information associated with the selected equipment, plant or process nor an internal user having technical knowledge about a selected equipment, plant or process. Also, the "crew assigned to do the work" is not an internal user having technical knowledge about a selected equipment, plant or process. At most the "crew" might include the claimed maintenance user.

Ying only suggests a hand-held personal data assistant. Even if Vines et al. and Ying were combined, and Vines et al. were provided with a hand-held personal data assistant, the combination would still not suggest the claimed invention for the reasons discussed above. Therefore, the combination of Vines et al. and Ying does not suggest the invention recited in claims 1-3, 8, 13, 15-17, and 19-22, the combination of Vines et al. and Ying does not make the invention recited in claims 1-3, 8, 13, 15-17, and 19-22 obvious and Applicants respectfully request withdrawal of this rejection.

The combination of Vines et al., Ying and Tonack does not suggest the invention recited

in claims 4-7, 9-12, and 18 since, among other things, the combination does not overcome the above-described deficiencies of the combination of Vines et al. and Ying. Tonack only suggests contacting a maintenance technician or possibly sending service calls to supervisors. Tonack does not suggest internal and external users for contacting in the event that a maintenance user cannot address an event or alarm with information retrieved by the system. Therefore, the combination of Vines et al., Ying and Tonack does not suggest the invention recited in claims 4-7, 9-12 and 18, the combination of Vines et al., Ying and Tonack does not make the invention recited in claims 4-7, 9-12 and 18 obvious and Applicants respectfully request withdrawal of this rejection.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not suggest patentable features of the claimed invention. Therefore, the references relied upon in the office action, whether considered alone or in combination, do not make the claimed invention obvious. Accordingly, Applicants respectfully request withdrawal of the rejections based upon the cited references.

In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this case, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit

overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date: September 14, 2009

/Eric J. Franklin/
Eric J. Franklin, Reg. No. 37,134
Attorney for Applicants
Venable LLP
575 Seventh Street, NW
Washington, DC 20004
Telephone: 202-344-4936
Facsimile: 202-344-8300